

112TH CONGRESS
2D SESSION

S. 2050

To amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2012

Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. BROWN of Massachusetts) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Small Business Tax Extenders Act of 2012”.

6 (b) REFERENCES.—Except as otherwise expressly
7 provided, whenever in this Act an amendment or repeal
8 is expressed in terms of an amendment to, or repeal of,
9 a section or other provision, the reference shall be consid-

1 ered to be made to a section or other provision of the In-
2 ternal Revenue Code of 1986.

3 **SEC. 2. EXTENSION OF TEMPORARY EXCLUSION OF 100**
4 **PERCENT OF GAIN ON CERTAIN SMALL BUSI-**
5 **NESS STOCK.**

6 (a) IN GENERAL.—Paragraph (4) of section 1202(a)
7 is amended—

8 (1) by striking “January 1, 2012” and insert-
9 ing “January 1, 2013”, and

10 (2) by striking “AND 2011” and inserting “,
11 2011, AND 2012” in the heading thereof.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall apply to stock acquired after December
14 31, 2011.

15 **SEC. 3. EXTENSION OF 5-YEAR CARRYBACK OF GENERAL**
16 **BUSINESS CREDITS OF ELIGIBLE SMALL**
17 **BUSINESSES.**

18 (a) IN GENERAL.—Subparagraph (A) of section
19 39(a)(4) is amended by inserting “, 2011, or 2012” after
20 “2010”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 this section shall apply to credits determined in taxable
23 years beginning after December 31, 2010.

1 **SEC. 4. EXTENSION OF ALTERNATIVE MINIMUM TAX RULES**
2 **FOR GENERAL BUSINESS CREDITS OF ELIGI-**
3 **BLE SMALL BUSINESSES.**

4 (a) IN GENERAL.—Subparagraph (A) of section
5 38(c)(5) is amended by inserting “, 2011, or 2012” after
6 “2010”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to credits determined in taxable
9 years beginning after December 31, 2010, and to
10 carrybacks of such credits.

11 **SEC. 5. EXTENSION OF REDUCTION IN RECOGNITION PE-**
12 **RIOD FOR BUILT-IN GAINS TAX.**

13 (a) IN GENERAL.—Clause (ii) of section
14 1374(d)(7)(B) of the Internal Revenue Code of 1986 is
15 amended by inserting “2012, or 2013,” after “2011,”.

16 (b) CONFORMING AMENDMENT.—The heading for
17 section 1374(d)(7)(B) is amended by striking “AND 2011”
18 and inserting “2011, AND 2012”.

19 (c) TECHNICAL AMENDMENT.—Subparagraph (B) of
20 section 1374(d)(7) of such Code is amended by striking
21 “The preceding sentence” and inserting the following:
22 “For purposes of applying this subparagraph to an install-
23 ment sale, each portion of such installment sale shall be
24 treated as a sale occurring in the taxable year in which
25 the first portion of such installment sale occurred. This
26 subparagraph”.

1 (d) EFFECTIVE DATE.—The amendments made by
 2 this section shall apply to taxable years beginning after
 3 December 31, 2011.

4 **SEC. 6. EXTENSION OF INCREASED EXPENSING LIMITA-**
 5 **TIONS AND TREATMENT OF CERTAIN REAL**
 6 **PROPERTY AS SECTION 179 PROPERTY.**

7 (a) IN GENERAL.—Section 179(b) is amended—

8 (1) by striking “2010 or 2011” each place it
 9 appears in paragraph (1)(B) and (2)(B) and insert-
 10 ing “2010, 2011, or 2012”,

11 (2) by striking “2012” each place it appears in
 12 paragraph (1)(C) and (2)(C) and inserting “2013”,
 13 and

14 (3) by striking “2012” each place it appears in
 15 paragraph (1)(D) and (2)(D) and inserting “2013”.

16 (b) INFLATION ADJUSTMENT.—Subparagraph (A) of
 17 section 179(b)(6) is amended by striking “2012” and in-
 18 serting “2013”.

19 (c) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii)
 20 is amended by striking “2013” and inserting “2014”.

21 (d) ELECTION.—Section 179(c)(2) is amended by
 22 striking “2013” and inserting “2014”.

23 (e) SPECIAL RULES FOR TREATMENT OF QUALIFIED
 24 REAL PROPERTY.—Section 179(f)(1) is amended by strik-
 25 ing “2010 or 2011” and inserting “2010, 2011, or 2012”.

1 (f) EFFECTIVE DATE.—The amendments made by
 2 this section shall apply to taxable years beginning after
 3 December 31, 2011.

4 **SEC. 7. EXTENSION OF SPECIAL RULE FOR LONG-TERM**
 5 **CONTRACT ACCOUNTING.**

6 (a) IN GENERAL.—Clause (ii) of section 460(c)(6)(B)
 7 is amended by striking “January 1, 2011 (January 1,
 8 2012” and inserting “January 1, 2013 (January 1,
 9 2014”.

10 (b) EFFECTIVE DATE.—The amendment made by
 11 this section shall apply to property placed in service after
 12 December 31, 2010.

13 **SEC. 8. EXTENSION OF INCREASED AMOUNT ALLOWED AS A**
 14 **DEDUCTION FOR START-UP EXPENDITURES.**

15 (a) IN GENERAL.—Paragraph (3) of section 195(b)
 16 is amended—

17 (1) by inserting “, 2001, or 2012” after
 18 “2010”, and

19 (2) by inserting “2011, AND 2012” in the head-
 20 ing thereof.

21 (b) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to amounts paid or incurred in tax-
 23 able years beginning after December 31, 2010.

1 **SEC. 9. EXTENSION OF ALLOWANCE OF DEDUCTION FOR**
2 **HEALTH INSURANCE IN COMPUTING SELF-**
3 **EMPLOYMENT TAXES.**

4 (a) IN GENERAL.—Paragraph (4) of section 162(l)
5 is amended by striking “December 31, 2010” and insert-
6 ing “December 31, 2012”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall apply to taxable years beginning after
9 December 31, 2010.

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